

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

U.S.A. vs. Clifford Craig Tittle

Docket No. 5:06-CR-44-1D

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Clifford Craig Tittle, who, upon an earlier plea of guilty to Felon in Possession of a Firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on September 11, 2006, to the custody of the Bureau of Prisons for a term of 63 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
2. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.
3. The defendant shall provide the probation office with access to any requested financial information.
4. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
5. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.
6. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Clifford Craig Tittle was released from custody on May 2, 2010, at which time the term of supervised release commenced.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

Mr. Tittle tested positive for Marijuana and Cocaine on November 5, 2010. This is Mr. Tittle's second time testing positive for illegal substances since starting supervised release in May 2010. The probation office is requesting that the DROPS sanction be added to address Mr. Tittle's non-compliance to supervised release.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of two days, as arranged by the U.S. Probation Office, and shall abide by all rules and regulations of the designated facility.
2. While under supervision in the Eastern District of North Carolina, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days. The defendant shall begin the DROPS program in the first use level.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Maurice J. Foy
Maurice J. Foy
Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: November 16, 2010

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ORDER OF COURT

Considered and ordered this 16 day of November, 2010, and ordered filed and made a part of the records in the above case.

James C. Dever
James C. Dever III
U.S. District Judge